



PATENT
ATTORNEY DOCKET NO. 051626-5008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hitoshi KOMURO et al.

Application No.: 10/782,816

Filed: February 23, 2004

For: CIRCULATING BODY AND FIXING
DEVICE

Confirmation No.: 5477

Group Art Unit No.: 2852

Examiner: Sophia S. Chen

Mail Stop AMENDMENT

Commissioner for Patents
U.S. Patent and Trademark Office
Mail Stop Amendment
Alexandria, VA 22314-1450

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is a Response to Ex Parte Quayle Action dated March 10, 2006, the period for response to which extends through May 10, 2006, please amend the above-identified application as follows.
2. Additional papers enclosed:

- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, _____ references included
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☒ Submission of Replacement Drawings
- ☐ Others

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Extension of time fee due with this request: \$0.00

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	18	minus	20	0	x \$50 each=	+ \$ -0-
Independent Claims (37 C.F.R. §1.16(b))	2	minus	3	1	x \$200 each=	+ \$ 0.00-
[] First presentation of Multiple dependent claim(s)					\$360.00	+ \$
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$0.00

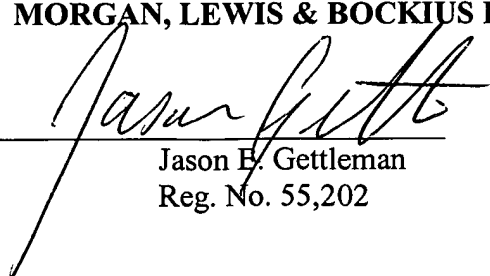
6. Fee Payment

- ☒ No fee is to be paid at this time.
- ☐ The Commissioner is hereby authorized to charge **\$0.00** to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: April 28, 2006

By: 
 Jason E. Gettleman
 Reg. No. 55,202

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Sir:

SUBMISSION OF REPLACEMENT DRAWINGS

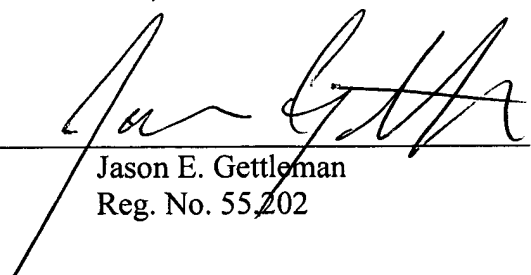
Applicants respectfully submit herewith a Submission of Replacement Drawings including two (2) sheets of drawing containing Figs. 1-2 to be substituted for the previously filed drawing sheets in the above-identified application. Applicants have removed the sectional cross-hatching from reference numerals 126 (Figure 1), 113 (Figures 1 and 2), and 114 (Figures 1 and 2). Moreover, Applicants have included a legend to better clarify the materials represented by reference numerals 126, 113, and 114. Applicants respectfully submit that no new matter is introduced by the replacement drawings.

If there are any fees due in connection with the filing of these drawings, the
Commissioner is hereby authorized to charge any additional fees due to Deposit Account No.
50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: _____


Jason E. Gettleman
Reg. No. 55,202

Dated: April 28, 2006

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